

*Filed Electronically*

March 30, 2022

Hon. Peter Buttigieg, Secretary  
Department of Transportation  
Washington, DC

RE: Docket Number DOT-OST-2021-0093

Dear Secretary Buttigieg:

The National Rural Electric Cooperative Association (NRECA) appreciates the opportunity to comment on DOT's Notice of Proposed Rulemaking (NOPR) titled "*Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Addition of Oral Fluid Specimen Testing for Drugs.*"

By way of background, NRECA is the national trade association representing nearly 900 electric cooperatives and other rural electric utilities located in 48 states. America's electric cooperatives are owned by the people they serve and comprise a unique sector of the electric industry. From growing regions to remote farming communities, electric cooperatives power 1 in 8 Americans and serve as engines of economic development for 42 million Americans across 56 percent of the nation's landscape.

Electric cooperatives operate at cost and without a profit incentive. NRECA's member cooperatives include 62 generation and transmission (G&T) cooperatives and 831 distribution cooperatives. The G&Ts operate power plants that generate and transmit power to distribution cooperatives that provide it to the end of line co-op consumer-members. Many of our field workers hold Commercial Drivers Licenses and thus are subject to Federal Motor Carrier Safety Administration regulations.

NRECA members are eligible to participate in the organization's Rural Electric Safety Achievement Program ("RESAP"), our national safety program. In partnership with statewide and cooperative safety leaders, RESAP utilizes a framework for continuous improvement to develop and enhance safety performance and culture. The program requires written executive commitment, regular audits of safety programs conducted by third parties, and development and update by participants of safety improvement plans. The safety improvement plans include a system of accountability for the completion of specific targets documented in the plan and is communicated to all employees on a regular basis.

NRECA supports the addition of oral fluid testing procedures to the current urine drug testing procedures currently in place. We agree with the NOPR's conclusion that drug testing using oral fluids will provide a far less invasive procedure than observed urine collection and may reduce cheating on drug testing.

We also support the proposed change to Section 40.291 that would give Substance Abuse Professionals ("SAP") discretion to choose a remote evaluation instead of the currently required face-to-face evaluation (as amended by DOT's COVID-19 guidance). Particularly for electric cooperatives and SAPs in remote areas, this change will provide additional flexibility to deliver the evaluations in a timely and cost effective manner.

Thank you for the opportunity to provide comments in support of the Notice of Proposed Rulemaking.

Respectfully Submitted,



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